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Growing Ideas - Admissions Policies and Practices that Build Inclusive Child Care Communities (for Providers)

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GROWING IDEAS

Admissions Policies and Practices that Build Inclusive Child Care Communities (for Providers)

Quality inclusive child care settings include children with disabilities and health, behavioral or mental health concerns. Admissions policies that clearly state eligibility criteria, practices, program and parent and/or guardian responsibilities, can help families evaluate if the program will be a good match for their child.

Providers may want to obtain legal advice to be sure their policy and procedures align with relevant federal and state laws and regulations.

Why is an admissions policy important for quality inclusive child care programs? The policy:

- describes and clarifies a program's philosophy, values, beliefs and practices;
- aligns with recommendations from quality improvement and accreditation standards for professional practices;
- shares plans and procedures to provide care for diverse learners; and
- shows compliance with state and federal laws protecting the rights of children to be included.

What might an admissions policy reflecting an inclusive philosophy contain?

- Essential **eligibility criteria**, such as ages served and ability to participate in group care, for example. The Americans with Disabilities Act (ADA) guarantees that children with disabilities who meet the eligibility criteria cannot be excluded simply because of a disability.
- Statement of commitment to the principles of the ADA. "We provide reasonable **accommodations** when needed."
- A description of program activities, discipline/guidance, transition/dismissal, confidentiality, medication administration, emergency management and parent involvement policies.
- Communication strategies to partner with families to support a child's inclusion and participation.
- Nondiscrimination and confidentiality statements.

Please note: terms in bold are defined in the glossary on page 3 of this tipsheet.



What does the ADA say about admissions policies?

- Child care programs must not have eligibility criteria that screen out children with physical or mental disabilities.
- Providers may not ask parents looking for child care, "Does your child have a disability?" An allowable question: "Can your child meet the eligibility criteria of the program with or without **reasonable modification**?"
- Providers may not refuse to serve children with disabilities because they believe their insurance costs will be increased.

Modifying policies and practices:

If the parent identifies that their child has a disability and asks that reasonable modifications and accommodations be made, providers can meet with the family to do the following:

- Request relevant medical documentation identifying the disability, limitations and resulting need for reasonable modification.
- Identify ways the program's policies, procedures and practices may be modified to accommodate the child (example: a provider may alter a set snack schedule to provide a child with diabetes snacks on an individualized schedule).
- Evaluate modification requests on a *case-by-case, individualized basis* because every child is different. Two children with the same diagnosis may have very different behaviors and/or needs.

Accommodations can be simple, such as arranging furniture to allow wheelchair access or providing a calm, quiet space.

When a program cannot accommodate a child, providers should document...

- a good faith effort was made to enroll the child or maintain the child's participation;
- an individualized assessment of the child considered the particular activities of the program and actual abilities and disabilities of the child;
- that necessary care would cause a **direct threat** or **fundamental alteration** to the nature of the child care program; or providing **auxiliary aids** or services for effective communication would constitute an undue burden for the provider.

The admissions process is a give-and-take experience. Parents and/or guardians know their child best. Providers know their program and the benefits and challenges of group care. When child care providers take the time to develop and follow an admissions policy, it sets the stage for making informed, nondiscriminatory decisions about what is best for each child.

Disclaimer: This information is for broad educational purposes only. It is not and does not take the place of legal advice for any specific situation nor is it offered as such.

Where to learn more:

See "[Admissions Policies and Practices that Build Inclusive Child Care Communities — Learning Links](http://ccids.umaine.edu/resources/ec-growingideas/admissionsll/)" online at <http://ccids.umaine.edu/resources/ec-growingideas/admissionsll/>

Please note: terms in bold are defined in the glossary on page 3 of this tipsheet.



Glossary

accommodations - an effort to structure or arrange the environment so that an individual with a disability can experience the social or physical space in a meaningful way. *Example: arrange tables to allow space for a child in a wheel chair.*

auxiliary aids - providing a qualified interpreter, FM system or other effective method(s) of communication to assist individuals with hearing impairments.

direct threat - a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures or by the provision of auxiliary aids or services.

eligibility criteria - those requirements imposed by a child care program to determine admission to the program of all children. *Example: ages served.*

fundamental alteration - a change in the basic nature of the services offered by a program. A program does not need to change the nature or mix of goods that it typically offers to the public to allow accessibility by an individual with a disability. For example, a bookstore must be physically accessible to individuals with disabilities, but is not required to stock large print or Braille books.

reasonable modification - a modification in policies, practices, or procedures necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations. *An example of a reasonable modification could be a program's modification of their toileting policy to accommodate the needs of a child with a disability. This would not fundamentally alter the nature of the program.*

The University of Maine Center for Community Inclusion and Disability Studies gratefully acknowledges Kristin Aiello, Esq., Staff Attorney for the Disability Rights Center, Maine's federally-mandated protection and advocacy agency for individuals with developmental disabilities, for her technical assistance during the development of this tipsheet.



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